

MICHIGAN VEHICLE CODE (EXCERPT)
Act 300 of 1949

257.320a Recording date of conviction, civil infraction determination, or probate court disposition and number of points; formula; interview; violation committed in another state.

Sec. 320a. (1) Until October 1, 2005, within 10 days after the receipt of a properly prepared abstract from this state or another state, or, beginning October 1, 2005, within 5 days after the receipt of a properly prepared abstract from this state or another state, the secretary of state shall record the date of conviction, civil infraction determination, or probate court disposition, and the number of points for each, based on the following formula, except as otherwise provided in this section and section 629c:

- (a) Manslaughter, negligent homicide, or a felony resulting from the operation of a motor vehicle, ORV, or snowmobile.....6 points
- (b) A violation of section 601b(2) or (3), 601c(1) or (2), or 653a(3) or (4).....6 points
- (c) A violation of section 625(1), (4), (5), (7), or (8), section 81134 or 82127(1) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.81134 and 324.82127, or a law or ordinance substantially corresponding to section 625(1), (4), (5), (7), or (8) or section 81134 or 82127(1) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.81134 and 324.82127.....6 points
- (d) Failing to stop and disclose identity at the scene of an accident when required by law.....6 points
- (e) Operating a motor vehicle in violation of section 626.....6 points
- (f) Fleeing or eluding an officer.....6 points
- (g) A violation of section 627(9) pertaining to speed in a work zone described in that section by exceeding the lawful maximum by more than 15 miles per hour.....5 points
- (h) A violation of any law other than the law described in subdivision (g) or ordinance pertaining to speed by exceeding the lawful maximum by more than 15 miles per hour.....4 points
- (i) A violation of section 625(3) or (6), section 81135 or 82127(3) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.81135 and 324.82127, or a law or ordinance substantially corresponding to section 625(3) or (6) or section 81135 or 82127(3) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.81135 and 324.82127.....4 points
- (j) A violation of section 626a or a law or ordinance substantially corresponding to section 626a.....4 points
- (k) A violation of section 653a(2).....4 points
- (l) A violation of section 627(9) pertaining to speed in a work zone described in that section by exceeding the lawful maximum by more than 10 but not more than 15 miles per hour.....4 points
- (m) A violation of any law other than the law described in subdivision (l) or ordinance pertaining to speed by exceeding the lawful

maximum by more than 10 but not more than 15 miles per hour or careless driving in violation of section 626b or a law or ordinance substantially corresponding to section 626b.....3 points

(n) A violation of section 627(9) pertaining to speed in a work zone described in that section by exceeding the lawful maximum by 10 miles per hour or less.....3 points

(o) A violation of any law other than the law described in subdivision (n) or ordinance pertaining to speed by exceeding the lawful maximum by 10 miles per hour or less.....2 points

(p) Disobeying a traffic signal or stop sign, or improper passing.....3 points

(q) A violation of section 624a, 624b, or a law or ordinance substantially corresponding to section 624a or 624b.....2 points

(r) A violation of section 310e(4) or (6) or a law or ordinance substantially corresponding to section 310e(4) or (6).....2 points

(s) All other moving violations pertaining to the operation of motor vehicles reported under this section.....2 points

(t) A refusal by a person less than 21 years of age to submit to a preliminary breath test required by a peace officer under section 625a.....2 points

(2) Points shall not be entered for a violation of section 310e(14), 311, 625m, 658, 717, 719, 719a, or 723.

(3) Points shall not be entered for bond forfeitures.

(4) Points shall not be entered for overweight loads or for defective equipment.

(5) If more than 1 conviction, civil infraction determination, or probate court disposition results from the same incident, points shall be entered only for the violation that receives the highest number of points under this section.

(6) If a person has accumulated 9 points as provided in this section, the secretary of state may call the person in for an interview as to the person's driving ability and record after due notice as to time and place of the interview. If the person fails to appear as provided in this subsection, the secretary of state shall add 3 points to the person's record.

(7) If a person violates a speed restriction established by an executive order issued during a state of emergency as provided by 1982 PA 191, MCL 10.81 to 10.89, the secretary of state shall enter points for the violation pursuant to subsection (1).

(8) The secretary of state shall enter 6 points upon the record of a person whose license is suspended or denied pursuant to section 625f. However, if a conviction, civil infraction determination, or probate court disposition results from the same incident, additional points for that offense shall not be entered.

(9) If a Michigan driver commits a violation in another state that would be a civil infraction if committed in Michigan, and a conviction results solely because of the failure of the Michigan driver to appear in that state to contest the violation, upon receipt of the abstract of conviction by the secretary of state, the violation shall be noted on the driver's record, but no points shall be assessed against his or her driver's license.

History: Add. 1958, Act 180, Eff. Sept. 13, 1958;—Am. 1960, Act 82, Eff. Aug. 17, 1960;—Am. 1963, Act 34, Eff. Sept. 6, 1963;—Am. 1965, Act 41, Imd. Eff. May 25, 1965;—Am. 1965, Act 351, Imd. Eff. July 23, 1965;—Am. 1968, Act 332, Eff. Jan. 1, 1969;—Am. 1974, Act 28, Imd. Eff. Mar. 2, 1974;—Am. 1975, Act 24, Imd. Eff. Apr. 15, 1975;—Am. 1978, Act 510, Eff. Aug. 1, 1979;—Am. 1979, Act 66, Eff. Aug. 1, 1979;—Am. 1980, Act 25, Eff. Mar. 31, 1981;—Am. 1980, Act 518, Eff. Mar. 31, 1981;—Am. 1981, Act 72, Imd. Eff. June 30, 1981;—Am. 1981, Act 159, Eff. Mar. 31, 1981;—Am. 1982, Act 310, Eff. Mar. 30, 1983;—Am. 1982, Act 533, Eff. Mar. 30, 1983;—Am. 1987, Act 154, Eff. Dec. 1, 1987;—Am. 1991, Act 93, Eff. Jan. 1, 1992;—Am. 1991, Act 94, Eff. Jan. 1, 1993;—Am. 1994, Act 211, Eff. Nov. 1, 1994;—Am. 1996, Act 387, Eff. Apr. 1, 1997;—Am. 1996, Act 471, Eff. Apr. 1, 1997;—Am. 1996, Act 493, Eff. Apr. 1, 1997;—Am. 1998, Act 350, Eff. Oct. 1, 1999;—Am. 1999, Act 21, Eff. Oct. 1, 2000;—Am. 1999, Act 40, Imd. Eff. June 9, 1999;—Am. 2000, Act 460, Eff. Mar. 28, 2001;—Am. 2001, Act 103, Eff. Oct. 1, 2001;—Am. 2002, Act 149, Eff. July 1, 2002;—Am. 2003, Act 61, Eff. Sept. 30, 2003;—Am. 2003, Act 315, Eff. Apr. 8, 2004;—Am. 2004, Act 62, Imd. Eff. Apr. 13, 2004;—Am. 2004, Act 362, Imd. Eff. Oct. 4, 2004;—Am. 2004, Act 495, Imd. Eff. Dec. 29, 2004.

Compiler's note: Section 2 of Act 310 of 1982 provides: "All proceedings pending and all rights and liabilities existing, acquired, or incurred at the time this amendatory act takes effect are saved and may be consummated according to the law in force when they are commenced. This amendatory act shall not be construed to affect any prosecution pending or initiated before the effective date of this amendatory act, or initiated after the effective date of this amendatory act for an offense committed before that effective date."

In OAG 6480, issued November 23, 1987, the Attorney General stated: "It is my opinion, therefore, that 1987 PA 154, which fixes maximum speed limit on certain state highways, becomes effective November 29, 1987."

MICHIGAN VEHICLE CODE (EXCERPT)

Act 300 of 1949

257.626b Careless or negligent operation of vehicle as civil infraction.

Sec. 626b. A person who operates a vehicle upon a highway or a frozen public lake, stream, or pond or other place open to the general public including an area designated for the parking of vehicles in a careless or negligent manner likely to endanger any person or property, but without wantonness or recklessness, is responsible for a civil infraction.

History: Add. 1965, Act 262, Eff. Mar. 31, 1966;—Am. 1978, Act 510, Eff. Aug. 1, 1979.

MICHIGAN VEHICLE CODE (EXCERPT)

Act 300 of 1949

257.636 Overtaking and passing of vehicles proceeding in same direction; limitations, exceptions, and special rules; violation as civil infraction.

Sec. 636. (1) The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction, subject to those limitations, exceptions, and special rules stated in sections 637 to 643a:

(a) The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass at a safe distance to the left of that vehicle, and when safely clear of the overtaken vehicle shall take up a position as near the right-hand edge of the main traveled portion of the highway as is practicable.

(b) Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of his or her vehicle until completely passed by the overtaking vehicle.

(2) A person who violates this section is responsible for a civil infraction.

History: 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1978, Act 510, Eff. Aug. 1, 1979;—Am. 1979, Act 66, Eff. Aug. 1, 1979.

MICHIGAN VEHICLE CODE (EXCERPT)

Act 300 of 1949

257.643 Distance between vehicles; violation as civil infraction.

Sec. 643. (1) The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of the vehicles and the traffic upon, and the condition of, the highway.

(2) A person shall not operate a motor vehicle with a gross weight, loaded or unloaded, in excess of 5,000 pounds outside the corporate limits of a city or village, within 500 feet of a like vehicle described in this subsection, moving in the same direction, except when overtaking and passing the vehicle.

(3) A distance of not less than 500 feet shall be maintained between 2 or more driven vehicles being delivered from 1 place to another.

(4) A person who violates this section is responsible for a civil infraction.

History: 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1978, Act 510, Eff. Aug. 1, 1979.